



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Authorization for City Engineer to Execute Subdivision and Parcel Maps and to Accept Dedications on Parcel Maps on Behalf of the City

MEETING DATE: March 16, 1994

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt the attached resolution authorizing the City Engineer to execute subdivision and parcel maps and to accept dedications on parcel maps on behalf of the City.

BACKGROUND INFORMATION: The City Council previously adopted a resolution authorizing the Assistant City Engineer and Chief Civil Engineer (now Senior Civil Engineer) to sign maps in the absence of the Public Works Director. Since then, the titles of both positions have changed, and with the recent title change and job description revision of the Assistant City Engineer to City Engineer, it was intended that the City Engineer routinely sign maps.

The attached resolution provides for this change and replaces the previous resolution.

FUNDING: None required.


Jack L. Ronsko
Public Works Director

Prepared by Richard C. Prima, Jr., City Engineer

JLR/RCP/lm

Attachment

APPROVED



THOMAS A. PETERSON
City Manager



recycled paper

RESOLUTION NO. 94-26

=====

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING THE CITY ENGINEER OR THE SENIOR
CIVIL ENGINEER TO EXECUTE SUBDIVISION AND PARCEL MAPS
IN THE ABSENCE OF THE PUBLIC WORKS DIRECTOR

=====

RESOLVED, that the City Council of the City of Lodi does hereby authorize the Public Works Director and the City Engineer on behalf of the City to execute subdivision and parcel maps and to accept dedications on parcel maps.

In the absence of the above persons, the Senior Civil Engineer may act in their place. This Resolution supercedes Resolution No. 84-085.

Dated: March 16, 1994

=====

I hereby certify that Resolution No. 94-26 was passed and adopted by the City Council of the City of Lodi in a meeting held March 16, 1994 by the following vote:

Ayes: Council Members - Mann, Pennino, Snider
and Sieglock (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None


Jennifer M. Perrin
City Clerk

94-26

RES9426/TXTA.02J

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNING
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager

JENNIFER M. PERRIN
City Clerk

BOB McNATT
City Attorney

MEMORANDUM

TO: JENNIFER PERRIN, CITY CLERK
FROM: RAY DAVENPORT, COUNCILMEMBER
DATE: MARCH 18, 1994
SUBJT: CONSENT CALENDAR ITEMS 3, 4, & 8,
CITY COUNCIL MEETING MARCH 16, 1994

This memo is record notice that I object to the action taken by Mayor Sieglock and other councilmembers on March 16, 1994 concerning consent items 3, 4 and 8.

These items were properly removed from the consent calendar by myself and I was denied comment and review of these items by Mayor Jack Sieglock and other councilmembers.

Please provide me a verbatim transcription copy of the actual comments of Mayor Sieglock and the motion to approve consent items 3, 4 & 8.

Please place these items 3, 4 & 8 on the next regular agenda, April 6, 1994.

**TRANSCRIPTION OF
MARCH 16, 1994
CITY COUNCIL MEETING**

**APPROVAL OF CONSENT CALENDAR ITEMS
3, 4 AND 8**

Sieglock: Now, we've got to go back to the Consent Calendar, items 3, 4 and 8. I don't. . . Mr. Davenport, if you want to cover them in about one minute, that'd be great, because I'm not gonna listen to you long. I'm tired, I'm gettin' out of here.

Davenport: Hey, whatever... you know, whatever you wanna do. Slap. . . slap the gavel. Do whatever you want to do. I can live with it.

Sieglock: Okay. No. All right, I'll make a motion to approve items 3, 4 and 8.

Davenport: What is it? Do 3? Oh, on the. . .

Sieglock: I made a motion to approve items 3, 4 and 8 on the Consent Calendar. Is there a second?

Mann: Second.

Sieglock: It's been moved and seconded. . .

McNatt: ^ This does not include item 9?

Sieglock: No.

McNatt: Okay. We'll need to talk about 9.

Peterson: We need to talk about 9 for just a minute. It wont take but a minute.

Sieglock: Any further discussion?

Davenport: Are we gonna go over them?

Sieglock: All those in favor, signify by saying "Aye" (Aye). Any opposed. . .

Davenport: No.

Sieglock: Okay.

Davenport: I can't believe it.

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNING
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 331-6795

THOMAS A. PETERSON
City Manager

JENNIFER M. PERRIN
City Clerk

BOB McNATT
City Attorney

MEMORANDUM

TO: JENNIFER PERRIN, CITY CLERK
FROM: RAY G. DAVENPORT, COUNCILMEMBER
DATE: MARCH 23, 1994
SUBJT: AGENDA, MARCH 16, 1994

I have concern about consent calendar item 9 (purchase of police vehicles) March 16, 1994, regular council meeting.

Please provide me a verbatim transcription copy of all council discussion concerning consent calendar items placed at the end of the meeting by Mayor Sieglock. This includes consent calendar items 3,4,8, and 9 moved to the end of the council meeting.

Please pick up where you left off in the transcription provided by your office on 3/21/94 entitled "Approval of Consent Calendar Items 3,4 and 8" please continue the transcription to the end of the meeting up to and include the announcement to go into executive session.

After the council executive session, as discussed with you on March 21, 1994, there was no enunciated adjournment of the council meeting by the Mayor, nor was it recorded on the electronic device. I understand from our conversation it is routine practice to not reconvene after executive session and formally conclude adjournment of the regular council meeting.

Please provide under separate confidential cover the Clerks minute notes of the executive session of March 16, 1994 and the action taken by the council.

Thank you.

**TRANSCRIPTION OF
MARCH 16, 1994
CITY COUNCIL MEETING**

**APPROVAL OF CONSENT CALENDAR ITEMS
3, 4, 8 AND 9**

Sieglock: Now, we've got to go back to the Consent Calendar, items 3, 4 and 8. I don't. . . Mr. Davenport, if you want to cover them in about one minute, that'd be great, because I'm not gonna listen to you long. I'm tired, I'm gettin' out of here.

Davenport: Hey, whatever. . . you know, whatever you wanna do. Slap (Sieglock: Okay) . . . slap the gavel. Do whatever you want to do (Sieglock: No). I can live with it. I have been harassed by a lot better.

Sieglock: All right, I'll make a motion to approve items 3, 4 and 8.

Davenport: What is it? Do 3? Oh, on the. . .

Sieglock: I made a motion to approve items 3, 4 and 8 on the Consent Calendar. Is there a second?

Mann: Second.

Sieglock: ^ It's been moved and seconded. . .

McNatt: This does not include item 9?

Sieglock: No.

McNatt: Okay. We'll need to talk about 9.

Peterson: We need to talk about 9 for just a minute. It won't take but a minute.

Sieglock: Any further discussion?

Davenport: Are we gonna go over them?

Sieglock: All those in favor, signify by saying "Aye" (Aye). Any opposed. . .

Davenport: No.

Sieglock: Okay.

Davenport: I can't believe it.

Sieglock: Item number 9.

Peterson: Okay. Item number 9 has to do with the purchase of the police vehicle, and Mr. Ronsko, or Mr. Callahan, or somebody. . .

Davenport: We can't go over that. That's not proper, because we said that we weren't gonna do it this meeting. What a double standard.

Peterson: No, no, no. We said we'd move this to the Regular Calendar (Sieglock: Regular Calendar).

Davenport: No. You said you're takin' it off!

Peterson: Take it off the Consent Calendar.

Mann: Yeah.

Davenport: And puttin' it on what?

Peterson and: The Regular Calendar.
Sieglock
(in unison)

Peterson: ...the end of the Regular Calendar.

Davenport: Think it's legit? ...okay.

Sieglock: Were we okay, Mr. City Attorney?

McNatt: Yes, Mr. Mayor. We did move this off the Consent Calendar. ...

Sieglock: Mr. Davenport, I'd normally love to listen to you, but, I'm sorry, it's too late.

Davenport: I'll remember that.

Sieglock: I know you will.

Davenport: How courteous you are.

Sieglock: I'm not trying to be discourteous. ...I just. ...it's late.

Peterson: Go, Dennis.

Davenport: It's not too late for what Tom wants to talk about.

Mann: It's 5:10 in the morning, Ray!

Davenport: In Japan.

Sieglock: Go ahead. ...Mr. Cochran.

Callahan: Okay.

Peterson: It's Mr. Callahan!

(laughter)

Callahan: He left. ...he left. ...sorry, Mr. Mayor.

Snider: You've got better hair.

Peterson: Adjust your. . .adjust your hair, Dennis.

Sieglock: Move on. . .move on.

Callahan: Okay. This item. . .this council communication was prepared by the Police Chief; however, I'll give basically the report. If you have any questions of him, he's stayed as well to address those questions, if you have them. But basically, what we have before you is the request to purchase one additional police patrol unit, and the reasons for that are pretty well explained and I don't need to go into those. What I need to explain to you is the reason we need to change the action that was before you. And that was, at about 1:00 today I was trying to get an additional confirmation from the firm that we were suggesting we buy this police vehicle from, which was Melrose Ford. You may remember just four short weeks ago, we were here discussing four police vehicles and that was the firm that we purchased those vehicles through. That order had already taken place; however, before you with the letterhead of Downtown Ford, and you'll see a little pink highlight in the middle of it we have given to you for your reference. We received a letter from Downtown Ford, the agency who was one of the three that bid for those vehicles that we shared with you about a few weeks ago. And in that letter, we learned that we had the ability to purchase, if we so desired, additional police vehicles. You'll see that highlighted there is that we had to give them a letter of intent to do so by March 16. When I received this letter, I thought perhaps we should go and see if there is a possibility of buying a police vehicle from Melrose Ford also, because if you recall the purchase price for the Ford Crown Victoria from Melrose Ford was about \$768 less than what we were going to pay if we had purchased it from Downtown Ford. And Melrose Ford believed they had a vehicle they'd give to us, but unfortunately it was contingency on action that was going to be taken by the City of Woodland Council which met last night. That Council decided to buy their full complement of vehicles which honestly, I guess, the police chief or the equipment manager did not expect. Because they took that action, we no longer had a vehicle available to us, as of 1:00 today. So then what I needed to do was quickly confirm from Downtown Ford that a vehicle was available if your action was to grant that we purchase that and was able to secure that reassurance this afternoon. So, what we're asking you to do basically would be to adjust the item before you to recommend that the Police Department be allowed to purchase a 1994 Crown Victoria from Downtown Ford for the purchase price of \$16,788.53, additionally have you approve the emergency equipment in the same amount, \$4,170, and the Motorola radio required for that vehicle of \$4,000 for a new total of \$24,958.53.

Peterson: What's the new total, Dennis?

Callahan: \$24,958.53 and basically what we are saying to you is we lost the savings of \$768.26 that we had hoped to get by purchasing through Melrose Ford.

McNatt: If I might jump in here, Mr. Mayor. Obviously what's on the agenda tonight doesn't have anything to do with what the proposed action is. . .the agenda item talked about purchasing a car from Melrose Ford and didn't make any mention of anyone else. So, if you want to act on this tonight. . .if the Council determines that we need this car as soon as we can get it, it's gonna have to make the two findings. Again, first that the need arose after the agenda was printed. . .

Peterson: The agenda just says one police vehicle.

McNatt: Yeah, right, but when you look at the staff report that went with it, it says Melrose. The agenda is the entire packet.

Sieglock: Right.

McNatt: You can still do it if you wish. You can make the findings: need to take action arose after the agenda was printed, that is now you're going to substitute in Downtown Ford, instead of Melrose, and then vote on it if you wish.

Sieglock: Okay. It's been moved by Mr. Mann

Davenport: See you Mr. Mayor. You guys don't need me. . .*(undetectable)*. . .Enjoy.

Sieglock: Goodnight. It's been seconded by Mr. Snider. All those in favor, signify by saying "Aye" (Aye). Mr. Pennino said he'd like the car and I seconded it. All those in favor, signify by saying "Aye". . .

Pennino: What are we voting on? Excuse me, I'm sorry.

McNatt: That the need. . .

Pennino: The need.

Sieglock: The first action. . .

McNatt: ^ . . .to take action arose.

Pennino: Okay. . .well, now. . .

Sieglock: Mr. Mann made that motion, (Pennino: Okay. And we voted on that) Mr. Snider seconded. Now we're finding that we're going to purchase the car. You made the motion and I seconded it. . .

Pennino: Just change out the wording that will not be a back up. We'll actually put it. . .the documentation says a backup and I'd hate to see it out there not being used for two bicycle cops.

Sieglock: All those in favor, signify by saying "Aye" (Aye). We will now go to closed door session.

Peterson: I want to point out, I put in front of you at each Council Member's seat. A couple of weeks ago, the Council requested a map of all vacant industrial parcels (Mann: Ah, okay). Here they are and they're by parcel. . .*(Pennino: good. . . good job)* here's the City map, here's the. . .*(undetectable)*. . .parcel map in the amount of the acreage, etc.

Mann: What address?

Peterson: We don't have addresses.

Pennino: Do we have a closed door session?

Sieglock: Yeah, IBEW, LPOA.

Mann: Yeah, I've heard that before.

NOTE: *In regards to the announcement of the adjournment following Closed Session, I believe you misunderstood what I was saying to you on March 21, 1994. The Mayor did bang the gavel and announce that the meeting was adjourned following the Closed Session (as he does most of the time); however, what I was explaining to you is that normally I do not record the announcement of the adjournment on the recording system.*

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
RAY C. DAVENPORT
PHILLIP A. PENNINO
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

TO: MAYOR JACK SIEGLOCK
FROM: RAY DAVENPORT, COUNCILMEMBER
DATE: MARCH 18, 1994
SUBJT: CONSENT CALENDAR ITEMS, MARCH 16, 1994

At the regular council meeting of March 16, 1994, I properly removed items 3,4, & 8 from the consent calendar and requested discussion of the same.

You allowed the City Manager to remove item 9. You denied me my right as a councilmember to address the items 3,4, & 8, without any discussion of the items whatsoever. Your action also denied citizens input. Your reason was that you were tired and did not want to listen to me. You subsequently allowed the City Manager and other staff members to proceed with consent item 9. I believe such tyrannical conduct by the Mayor of our City is reflective of your leadership.

Mayoral duties, Brown Act provisions and procedural rules of conducting a meeting are not subject to your whim or physical condition of being too tired to listen to councilmembers but not too tired to listen to the City Manager or other select councilmembers of your personal discretion. Since items 3,4, & 8 of the consent calendar were illegally approved I demand that they be placed on the agenda at the next regular council meeting.

I have been subjected to your improper remarks and conduct in the past which is a matter of public record, my response has been tolerant and passive to date. However your flagrant misuse of Mayoral power to attempt to nullify a duly elected representative cannot go unnoticed.

Councilmembers in fact have a right to remove items from the agenda they also have a right to make comment on the items they removed, this is an elementary principle which you and other councilmembers cannot blatantly ignore.

I trust your mayoral duties will conform to rules of procedure and the Brown Act in the future.

Also, it is my opinion that it is inexcusable to have such a long meeting and manipulate the agenda items to keep people waiting almost four hours to discuss the garbage issue of proposed increases.